

Attorney Docket No.: **CB60165**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MACLEOD, et al.

October 5, 2006

Serial No.: 10/550,884

International Application No. PCT/EP04/03235

International Filing Date: March 24, 2004

For: "ACTUATOR CAP FOR AEROSOL"

Commissioner for Patents  
Mail Stop: PCT DO/US – Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This letter is in response to the "Notice to File Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," mailed on August 18, 2006, which indicates that the Oath or Declaration of the inventors for the subject patent application is not part of the filewrapper. A copy of the above notice is attached.

Also enclosed, is a Declaration and Power of Attorney for the subject patent application, which has been fully executed by the inventors of the subject patent application in compliance with 37 C.F.R. 1.63.

Please charge the **\$130.00** surcharge for late filing of the fully executed declaration to **Deposit Account No. 19-2570**. Please charge any additional requisite fees for the filing of the enclosed Declaration or credit any over-payment to Deposit Account No. 19-2570.

Respectfully submitted,



Nora Stein-Fernandez  
Attorney for Applicants  
Registration No. 36,689

GLAXOSMITHKLINE  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, PA 19406-0939  
Phone (610) 270-5044 Fax (610) 270-5090



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,884	Andrew Macleod	CB60165

INTERNATIONAL APPLICATION NO.

PCT/EP04/03235

I.A. FILING DATE	PRIORITY DATE
03/24/2004	03/31/2003

20462  
 SMITHKLINE BEECHAM CORPORATION  
 CORPORATE INTELLECTUAL PROPERTY-US, UW2220  
 P. O. BOX 1539  
 KING OF PRUSSIA, PA 19406-0939

CONFIRMATION NO. 1762

371 FORMALITIES LETTER



\*OC000000019789584\*

Date Mailed: 08/18/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/28/2005
- Copy of the International Search Report filed on 09/28/2005
- Preliminary Amendments filed on 09/28/2005
- Information Disclosure Statements filed on 09/28/2005
- Request for Immediate Examination filed on 09/28/2005
- U.S. Basic National Fees filed on 09/28/2005
- Priority Documents filed on 09/28/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

7/22/2006  
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**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

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Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,884	PCT/EP04/03235	CB60165

FORM PCT/DO/EO/905 (371 Formalities Notice)